

Attorney Docket No.: 2000P82261US

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FEB 25 2010

9/22/03

Date
C. Reese

Cynthia Reese

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Guracar, et. al.

Group Art Unit: 3737

Application No.: 09/657,635

Examiner: F. Jaworski

Filed: August 28, 2001

For: CONTRAST IMAGING BEAM SEQUENCES FOR MEDICAL DIAGNOSTIC
ULTRASOUND

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESUBMITTAL OF

PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION

PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY
UNDER 37 C.F.R. § 1.137(b)

We are resubmitting this petition because it is our understanding (per our conversation on 9/12/03 with Examiner Frank Jaworski) that the PTO records do not indicate PTO receipt of the previous petition we submitted to the PTO on 6/9/03. We are including the original mail certification from the petition that was submitted on 6/9/03.

The above-identified application became abandoned for Applicant's failure to pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

Applicant hereby petitions for withdrawal of the Patent Office's abandonment determination for this application based on the following circumstances. The Notice of Abandonment dated 12/26/2002 states that Applicant has failed to timely pay the required

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issue fee within the statutory period of three months from the mailing date of the Notice of Allowance. However, Applicant never received the Notice of Allowance.

Therefore, through no fault of the applicant, the Patent Office has deemed this application abandoned. Persistence with this abandonment determination by the Patent Office would, in our view, be inequitable due to the inability of the Applicant to timely submit the issue fee when the Applicant never received the Notice of Allowance. Applicant strongly urges the Patent Office to pursue the equitable and just course of withdrawing the abandonment determination for this application. Should the Patent Office concur with our recommendation to withdraw the determination of abandonment for this application, Applicant believes that no fees are due on our part.

Applicant hereby authorizes the Patent Office to charge any fees or credit any overpayments to Deposit Account No. 19-2179, including the issue fee and payment for ten (10) copies of the granted patent. We have attached an internally generated issue fee transmittal with this petition, but as indicated above have not received the notice of allowance.

However, if the Commissioner disagrees with Applicant's request to withdraw the finding of abandonment, Applicant petitions for revival of the application pursuant to 37 C.F.R. 1.137(b). In this latter circumstance, the Commissioner is authorized to charge any fees or credit any overpayments to Deposit Account No. 19-2179, including the fee for revival per fee required in 37 C.F.R. 1.17(m). Applicant also asserts that the delay in payment of the issue fee from Dec. 26, 2002 through this date was unintentional. A duplicate copy of this authorization is enclosed for charging the deposit account.

Date: 9/18/2003

Respectfully requested,

SIEMENS CORPORATION
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To the U.S. Patent & Trademark Office
Please stamp the date of receipt of the following document(s) and return his card to us.

Atty. Dkt. No.: 00P82261US
Serial No.: 09657,635

Atty: Henry Groth
Filed: 8/28/01

Inventor(s): Guracar, et al.
Title: CONTRAST IMAGING BEAM SEQUENCES FOR MEDICAL DIAGNOSTIC ULTRASOUND

1. Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action
Petition for Revival of an Application for Patent Abandoned Unintentionally

